ECCLESIA LAW

Private Ecclesiastical Counsel
United States & International

15th January 2026

THE MYTH OF APPOINTING THE JUDGE AS TRUSTEE IN COURT

1. Executive Summary

A prevalent theory within the private law and "remedy" communities suggests that all court cases are essentially trust administration hearings. Proponents argue that a defendant can "express the trust" and unilaterally appoint the judge as a "trustee" to settle the case. Ecclesia Law has determined that this strategy is a **functional fallacy**. It relies on a gross misapplication of trust law principles to statutory and criminal proceedings. Attempting to "appoint" a judge as your fiduciary in a hostile courtroom environment does not result in a dismissal; rather, it typically leads to contempt charges, psychiatric evaluations, and an immediate loss of credible standing.

---

2. The Anatomy of the Myth

The "Judge as Trustee" theory posits that the court system is entirely commercial and that every case creates a "Constructive Trust."

- **The Claim:** It is alleged that the Clerk of Court creates a constructive trust upon filing the case, appointing the Prosecutor as the Executor and the Judge as the Trustee.
- **The Tactic:** The strategy advises defendants to stand in court and verbally "appoint" the judge as trustee, often using scripts like: *"I am the Beneficiary... I appoint you as my Trustee to discharge this matter"*.
- **The Expected Outcome:** Believers expect that once the judge is identified as the trustee, they are legally bound to "settle the account" using the defendant's birth certificate bond or "Cestui Que Vie" trust funds.

Ecclesia Law is a trading style of **MLITR Research LLC**, Wyoming, USA.
Ecclesia Law operates exclusively under **Attorney-in-Fact mandates** granted by its clients through private powers of attorney, trust indentures, fiduciary appointments, and private contracting structures. Ecclesia Law acts as a **private legal agent**, not as a BAR-regulated public law practice

ECCLESIA LAW

3. Why This Fails: A Technical Analysis

While trusts are indeed a fundamental part of equity, attempting to superimpose private trust mechanics onto a public statutory or criminal arraignment fails for several structural reasons.

A. Lack of Mutual Assent and Acceptance

A valid trust requires the **acceptance** of the trustee. You cannot unilaterally force a public official, operating under a statutory commission, to accept a private fiduciary obligation simply by saying it out loud.

- **Judicial Role:** A judge acts as an adjudicator of statutory or common law, not as a private asset manager. There is no "meeting of the minds" or trust indenture that compels them to serve your private estate during a public prosecution.

B. Category Error: Criminal Charges are Not Trust Assets

The theory presumes that a criminal charge or traffic citation is a "trust res" (property) that can be managed.

- **The Reality:** A criminal indictment is an accusation of a violation of the Sovereign's peace or statute. It is not a commercial "asset" to be deposited into a trust. Treating a criminal charge as a financial instrument reveals a fundamental misunderstanding of the difference between **public law** (punitive/regulatory) and **private equity** (property/fiduciary).

C. The "Express Trust" Fallacy in Court

Theories like those of Christian Walters suggest that "Expressing the Trust" converts the proceedings.

- **Ecclesia Analysis:** While express trusts are powerful tools for *holding* assets privately, you cannot "convert" a hostile statutory hearing into a private trust meeting by declaration. The court's jurisdiction is already established by statute (e.g., the Motor Vehicle Act or Criminal Code), and it does not require your "consent" to function as a tribunal.

Ecclesia Law is a trading style of **MLITR Research LLC**, Wyoming, USA.
Ecclesia Law operates exclusively under **Attorney-in-Fact mandates** granted by its clients through private powers of attorney, trust indentures, fiduciary appointments, and private contracting structures. Ecclesia Law acts as a **private legal agent**, not as a BAR-regulated public law practice

ECCLESIA LAW

4. The Consequences of Attempting this Strategy

Attempting to "appoint the judge as trustee" is one of the fastest ways to lose control of a courtroom environment.

- **Contempt of Court:** Judges view these statements as "nonsense" or "obstruction." Refusing to plead and instead giving orders to the bench often results in immediate incarceration for contempt.
- **Psychiatric Evaluation:** Because these arguments sound incoherent to the uninitiated legal mind (referencing "Cestui Que Vie" and "constructive trusts" in a traffic hearing), judges frequently order **competency hearings**. This strips the defendant of their rights and places them in the custody of mental health professionals.
- **"Executor De Son Tort":** By attempting to intermeddle with the "court's trust" (if one existed) without recognized authority, the individual acts as an *executor de son tort*—an unauthorized intermeddler. This confirms the individual's liability rather than discharging it.

---

5. The Correct Approach: Administration vs. Confrontation

Ecclesia Law advises that remedy is not found by playing "roles" in the courtroom, but by correcting the record *administratively* before court is even necessary.

- **Credit Recoupment:** If the matter is financial, the remedy is the **Recoupment of Abandoned Credit** (Clifford Protocol) to settle the ledger, not demanding the judge check a "secret account".
- **Envoy Protocol:** If the matter is jurisdictional, standing is established by occupying the **Office of General Executor** and operating as an **Envoy** *outside* the court, not by trying to commandeer the judge inside the court.

6. Conclusion

The "Judge as Trustee" strategy is a **myth** derived from a misinterpretation of how constructive trusts work in equity. It attempts to apply commercial trust mechanics to penal proceedings where they do not belong. Consequently, it has a near-zero success rate and carries extreme risks of incarceration and loss of credibility.

Ecclesia Law is a trading style of **MLITR Research LLC**, Wyoming, USA.
Ecclesia Law operates exclusively under **Attorney-in-Fact mandates** granted by its clients through private powers of attorney, trust indentures, fiduciary appointments, and private contracting structures. Ecclesia Law acts as a **private legal agent**, not as a BAR-regulated public law practice